

BERNARD P. WOLFSDORF
 Wolfsdorf Rosenthal LLP
 1416 2nd Street
 Santa Monica, CA 90401
 Tel: (310) 570-4088
bernard@wolfsdorf.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

HARSHA BOJJA,

Plaintiffs,

v.

UR JADDOU, Director, United States
 Citizenship and Immigration Services,

Defendant.

5:22-cv-04867-VKD

**JOINT CASE MANAGEMENT STATEMENT
 AND STIPULATION TO CONTINUE THE
 STAY OF PROCEEDINGS; [PROPOSED]
 ORDER**

Re: Dkt. No. 23

Judge Virginia DeMarchi

Pursuant to the Court's Order, the parties submit this joint case management statement regarding the Ninth Circuit's decision in *Babaria v. Blinken*, 87 F.4th 963 (9th Cir. 2023). *See* Dkt. No. 25. On January 15, 2024, the Appellants in *Babaria v. Blinken*, No. 22-16700 (9th Cir.) filed a timely petition for panel rehearing or rehearing *en banc*. The Circuit Court denied that motion on March 4, 2024, giving Appellants until June 3, 2024 to file a petition for certiorari with the United States Supreme Court. The Appellants filed their petition for certiorari on May 31, 2024. *Babaria v. Blinken*, No. 23-1268 (May 31, 2024). The government's response is due on July 5, 2024. *Id.*

Thus, the parties have conferred and hereby stipulate and respectfully request the Court to grant the following requests:

1. The parties request that the Court stay the proceedings in this case until the latest of the following two possibilities:

- (a) the U.S. Supreme Court denies certiorari; or
- (b) the U.S. Supreme Court enters an order on the merits.

2. Plaintiffs agree to provide the Court notice within 7 days of the U.S. Supreme Court denying certiorari; or the U.S. Supreme Court entering an order on the merits.

The parties respectfully request that the Court adopt the above-proposed schedule and enter a scheduling order reflecting the same.

Dated: June 17, 2024

Respectfully submitted,¹

ISMAIL J. RAMSEY
United States Attorney

s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney

Attorneys for Defendant

Dated: June 17,, 2024

sBernard Wolfsdorf
BERNARD WOLFSDORF

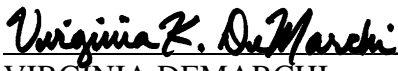
Attorneys for Plaintiff

¹ In accordance with Civil Local Rule 5(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.

~~[PROPOSED]~~ ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED. The proceedings in this case remain stayed.

Date: June 18, 2024


VIRGINIA DEMARCHI
United States Magistrate Judge